

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

MAR 29 2016

DOUGLAS F. YOUNG, Clerk
By

Deputy Clerk

MARY ADDINGTON

PLAINTIFF

v.

No. 16-1021

DOLGENCORP, LLC
d/b/a DOLLAR GENERAL

DEFENDANT

NOTICE OF REMOVAL

Dolgencorp, LLC dba Dollar General (hereinafter, "Dolgencorp") hereby removes this action from the Circuit Court of Ashley County, Arkansas, to the United States District Court for the Western District of Arkansas, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. In support of removal, Dolgencorp states as follows:

1. On February 26, 2016, plaintiff filed a complaint in the Circuit Court of Ashley County, Arkansas, styled *Mary Addington v. Dolgencorp, LLC d/b/a Dollar General*, No. CV-2016-035-3.
2. Plaintiff effected service of the complaint and summons on Dolgencorp on or about March 3, 2016. Copies of the summons and complaint are attached as Ex. A. No other process, pleading, or order has been served by or on Dolgencorp in the state-court action.
3. This notice of removal is timely filed. *See* 28 U.S.C. § 1446(b).
4. The complaint is one that properly could have been filed in this Court under 28 U.S.C. § 1332, and removal is therefore appropriate. 28 U.S.C. § 1441(a). As alleged in the complaint, plaintiff is a resident of the state of Arkansas. Dolgencorp is a Kentucky limited liability company with its principal place of business in Tennessee. Diversity is therefore not disputed. The amount-in-controversy requirement is also satisfied, for plaintiff alleges it exceeds

the federal jurisdictional requirement of \$75,000. 28 U.S.C. § 1332. *Bell v. Hershey Co.*, 557 F.3d 953, 959 (8th Cir. 2009).

5. This Court has subject matter jurisdiction over plaintiff's claims pursuant to 28 U.S.C. § 1332. This action is removable pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

6. Venue is proper in the Western District of Arkansas because this District embraces Ashley County, Arkansas, the place where the state-court action was pending.

7. Dolgencorp will serve on counsel for plaintiff a true and correct copy of this notice of removal and will file a notice of removal with the clerk of the Circuit Court of Ashley County. *See* 28 U.S.C. § 1446(d).

WHEREFORE, Dolgencorp, LLC removes this action to the United States District Court for the Western District of Arkansas, and asks this Court to assert jurisdiction over the subject matter.

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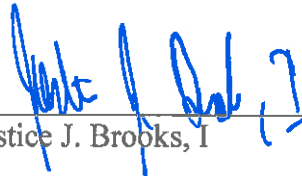
By: 
Justice J. Brooks, I., Bar I.D. #2014177

Attorneys for Dolgencorp

CERTIFICATE OF SERVICE

I hereby certify that, on this 28th day of March, 2016, a copy of the foregoing was served by United States mail, postage prepaid, upon plaintiff's counsel:

Michael D. Ray
THE RAY LAW FIRM, P.A.
ATTORNEY AT LAW
P.O. Box 1123
Crossett, AR 71635



Justice J. Brooks, I